

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF PODIATRY EXAMINERS

[R05-399]

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 25, Board of Podiatry Examiners  
**Article and its heading:** 1, General Provisions  
**Section numbers:** R4-25-103 (The Board may add, delete, or modify Sections as necessary)
- 2. The subject matter of the proposed rule:**  
The purpose of this rulemaking is to increase the Board's fees for an application for examination under A.R.S. §§ 32-822 and 32-826, issuance of a license under A.R.S. § 32-826, and renewal under A.R.S. § 32-829. The Board has not raised these fees since 1989.
- 3. A citation to all published notices relating to the proceeding:**  
Not applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Linda Wells, Executive Director  
Address: 1400 W. Washington, Suite 230  
Phoenix, AZ 85007  
Telephone: (602) 542-3095  
Fax: (602) 542-3093  
E-mail: linda.wells@podiatry.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Board will accept written comments at the location listed in item #4 between 8 a.m. and 5 p.m. Monday through Friday, until the close of record. The Board has not scheduled oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
None

### NOTICE OF RULEMAKING DOCKET OPENING

#### RADIATION REGULATORY AGENCY

[R05-378]

- 1. Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 1, Radiation Regulatory Agency  
**Article and its heading:**  
1, General Provisions  
3, Radioactive Material Licensing  
7, Use of Radionuclides in the Practice of Medicine  
**Section numbers:**  
R12-1-102, R12-1-311, R12-1-701, R12-1-702, R12-1-703, R12-1-704, R12-1-705, R12-1-706, R12-1-707, R12-1-708, R12-1-709, R12-1-710, R12-1-711, R12-1-712, R12-1-713, R12-1-714, R12-1-715, R12-1-716, R12-1-717, R12-1-718, R12-1-719, R12-1-720, R12-1-721, R12-1-722, R12-1-723, R12-1-724, R12-1-725, R12-1-726, R12-1-727, R12-1-728, R12-1-729, R12-1-730, R12-1-731, R12-1-732, R12-1-733, R12-1-734, R12-1-735, R12-1-736, R12-1-737, R12-1-738, R12-1-739, R12-1-740, R12-1-741, R12-1-742, R12-1-743, R12-1-744, R12-1-745, Exhibit A. The Agency may add, delete, or modify Sections as necessary.
- 2. The subject matter of the proposed rule:**  
The proposed changes will update the rules affecting the use of radioactive material in the practice of medicine. Many of the changes are imposed on Arizona through an Agreement with the Nuclear Regulatory Commission (NRC). An exception to this driving force is the change to the definition of "qualified expert" that is being amended to interface

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with “authorized medical physicist,” which is defined in Article 7. The other changes being made offer new standards for medical users of radioactive material and are directly associated with the federal regulations located in 10 CFR 35. A thorough understanding of the new rules proposed for Article 7 can be obtained by reviewing NRC--NUREG-1556, Vol. 9, *Program-Specific Guidance About Medical Use Licenses*.

Not all of the new NRC standards are being incorporated into Arizona rule. Credentialing standards for authorized users will be adopted, as the Agency finds necessary to ensure adequate safety for personnel and patients that interact with the authorized users practicing nuclear medicine in Arizona. With the exception of nuclear cardiology, the Agency will continue to use the authorized user credentialing standards that were part of 10 CFR 35 prior to October 2002.

**The agency docket number, if applicable:** RMP-0057

**3. A citation to all published notices relating to the proceeding:** None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Aubrey Godwin  
Address: Arizona Radiation Regulatory Agency  
4814 S. 40th St.  
Phoenix, AZ 85040

**5. The time during which written comment can be made:**

Written comments will be accepted 8:00 a.m. to 5:00 p.m., Monday through Friday.

**The time and place where oral comment can be made:**

Oral comments will be accepted at the Arizona Radiation Regulatory Agency, 4814 S. 40th St., Phoenix, AZ 85040 during a public hearing that will be noticed with the proposed rules in the *Register*.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

A timetable is not available at this time.

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LAW ENFORCEMENT MERIT SYSTEM COUNCIL

[R05-387]

**1. Title and its heading:**

**Chapter and its heading:**

**Article and its heading:**

13, Public Safety  
5, Law Enforcement Merit System Council  
1, Definitions  
2, Classification and Compensation  
3, Employment  
5, Employee Leave  
7, Discipline and Appeals  
8, Separation from Employment  
R13-5-101, R13-5-201, R13-5-302, R13-5-305, R13-5-307,  
R13-5-309, R13-5-312, R13-5-501, R13-5-503, R13-5-507  
R13-5-513, R13-5-702, R13-5-703, and R13-5-804

**Section numbers:**

**2. The subject matter of the proposed rule:**

A rule revision committee was created following a major rule revision in 2000 to provide an annual review of the rules to ensure the rules remained current and clear. This is another revision intended to clarify the rules as proposed by the rules revision committee. Changes to A.R.S. § 38-1101 made in the 2004 and 2005 legislative sessions necessitate changes to the discipline and hearing rules (R13-5-702 and R13-5-703).

**The agency docket number, if applicable:**

Not applicable

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Commander C. H. Johnston  
Address: Law Enforcement Merit System Council  
P.O. Box 6638  
Phoenix, AZ 85005  
Telephone: (602) 223-2286  
Fax: (602) 223-2096

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E-mail: Cjohnston@azdps.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Following submission to the Secretary of State and the rules being published in the *Arizona Administrative Register*, written comments will be received at the address listed in item #4 for a period of 30 days after publication. A public hearing will be scheduled if one is requested. Otherwise, the record will be closed at the end of the 30-day period following the publication in the *Arizona Administrative Register*. If a public meeting is requested, the record will be closed at the end of the public meeting.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The timetable for agency decisions will be guided by the information listed in #5 above. The agency hopes to have this proceeding completed no later than June 2006.

**NOTICE OF RULEMAKING DOCKET OPENING**

**CORPORATION COMMISSION**

**SECURITIES**

[R05-374]

**1. Title and its heading:**

14, Public Service Corporations; Corporations and Associations;  
Securities Regulation

**Chapter and its heading:**

4, Corporation Commission – Securities

**Article and its heading:**

1, In General Relating to the Arizona Securities Act

**Section numbers:**

R14-4-149 (Other Sections may be added, deleted, or modified as necessary.)

**2. The subject matter of the proposed rule:**

Section R14-4-149 provides an exemption from registration for offers made in accordance with 17 CFR 230.134, 17 CFR 230.255, or 17 CFR 230.430.

**The agency docket number, if applicable:** RS-00000A-05-0702

**3. A citation to all published notices relating to the proceeding:** None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Cheryl T. Farson

Address: Arizona Corporation Commission, Securities Division  
1300 W. Washington, Third Floor  
Phoenix, AZ 85007

Telephone: (602) 542-0193

Fax: (602) 594-7476

E-mail: cfarson@azcc.gov

**5. The time during which agency will accept written comments and the time and place where oral comments may be made:**

Monday - Friday, 8:00 a.m. - 5:00 p.m. at the Securities Division as noted in item #4. No hearing date has been set.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

Not known